



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**  
Planning and Building Department



**DATE:** July 6, 2011  
**BOARD MEETING DATE:** July 12, 2011  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Four-Fifths

**TO:** Honorable Board of Supervisors

**FROM:** Jim Eggemeyer, Community Development Director

**SUBJECT:** Adoption of an urgency ordinance amending, on an interim basis, Division VII, Chapter 2, Section 9025 of the San Mateo County Building Regulations to prohibit the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County

**RECOMMENDATION:**

Adopt an urgency ordinance amending, on an interim basis, Division VII, Chapter 2, Section 9025 of the San Mateo County Building Regulations to prohibit the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County.

**BACKGROUND:**

Members of the public and County staff have previously identified a gap in the R-1/S-7 zoning district regulations that allows for a type and intensity of development in a single-family residential area that is inconsistent with the intent of the General Plan and the existing character of the Weekend Acres neighborhood. This inconsistency presents a current and immediate threat to the welfare and safety of residents living in the Weekend Acres area by allowing development that is incompatible with the character and public service capacities of this neighborhood. Specifically, the S-7 combining district regulations have no limit on the maximum floor area of a single-family residence. Allowing homes that are unlimited in floor area results in homes that are out of scale with the surrounding development in the neighborhood, and which will adversely affect a neighbor's privacy and available sunlight. The existing zoning regulations allow large homes that conflict with the scale of the community contrary to the General Plan requiring that development in urban areas be designed to contribute to the orderly and harmonious community growth of the locality. The regulations also allow homes of large size while the General Plan, in contrast, instructs the County to regulate bulk in zoning districts in order to ensure that the size and scale of development is compatible with parcel size.

In 1988, the Board of Supervisors adopted a resolution (Resolution 50893) requiring a 30' front setback on Bishop Lane within Weekend Acres and requiring the provision of four off-street parking spaces for new construction along this roadway, rather than the two spaces that are required in other single-family residential areas. Part of the basis for this resolution was the limited width and roadway capacity constraints of Bishop Lane, as well as an attempt to preserve the existing neighborhood character along this street. However, the absence of zoning regulation of the floor area of single-family residences in this zoning district and neighborhood presents a current and immediate threat of the construction of homes with dense residential uses that, practically speaking, require the use of on-street parking to effectively accommodate the residents. The County needs to consider whether a restriction on house size is also necessary to obtain the policy objectives of safe streets and access for emergency vehicles. The absence of such regulation could allow the construction of residences which make on-street parking a matter of course.

### **DISCUSSION:**

County staff is currently considering the adoption of a zoning text amendment that would introduce a Floor Area Ratio (FAR) and other possible development standards in the R-1/S-7 district of Weekend Acres. This would have the effect of establishing maximum bulk and size limits on homes in this area, so that development would be more in character with the context of the surrounding residential neighborhood, and proportionate to the size of the parcel, as envisioned in the General Plan.

This ordinance is being proposed as an urgency interim ordinance under the provisions of Section 65858 of the California Government Code, which authorizes the County to adopt as an urgency measure an interim ordinance prohibiting uses that may be in conflict with a contemplated zoning proposal that the County is considering or studying or intends to study within a reasonable period of time. As discussed in the proposed findings and declarations included within the ordinance, there is a current and immediate threat to the public welfare that would result from the issuance of building permits for new residences and major remodels in the S-7 Zoning District of the Weekend Acres area of the unincorporated County. The ordinance as presented requires a four-fifths vote and would be effective for forty-five days. After notice pursuant to Section 65090 and public hearing, the Board may extend the interim ordinance for a period of ten months and fifteen days, and subsequently for one additional year. Any extension shall also require a four-fifths vote for adoption. Not more than two extensions may be adopted. During the period covered by these interim ordinances, the County will complete a review of the S-7 Zoning District in the Weekend Acres area.

Adoption of these regulations is exempt from review under the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of Title 14 of the California Code of Regulations because there is no possibility that these regulations, which impose further restrictions on development, will have the potential to cause a significant effect on the environment.

County Counsel has reviewed and approved the ordinance as to form and content.

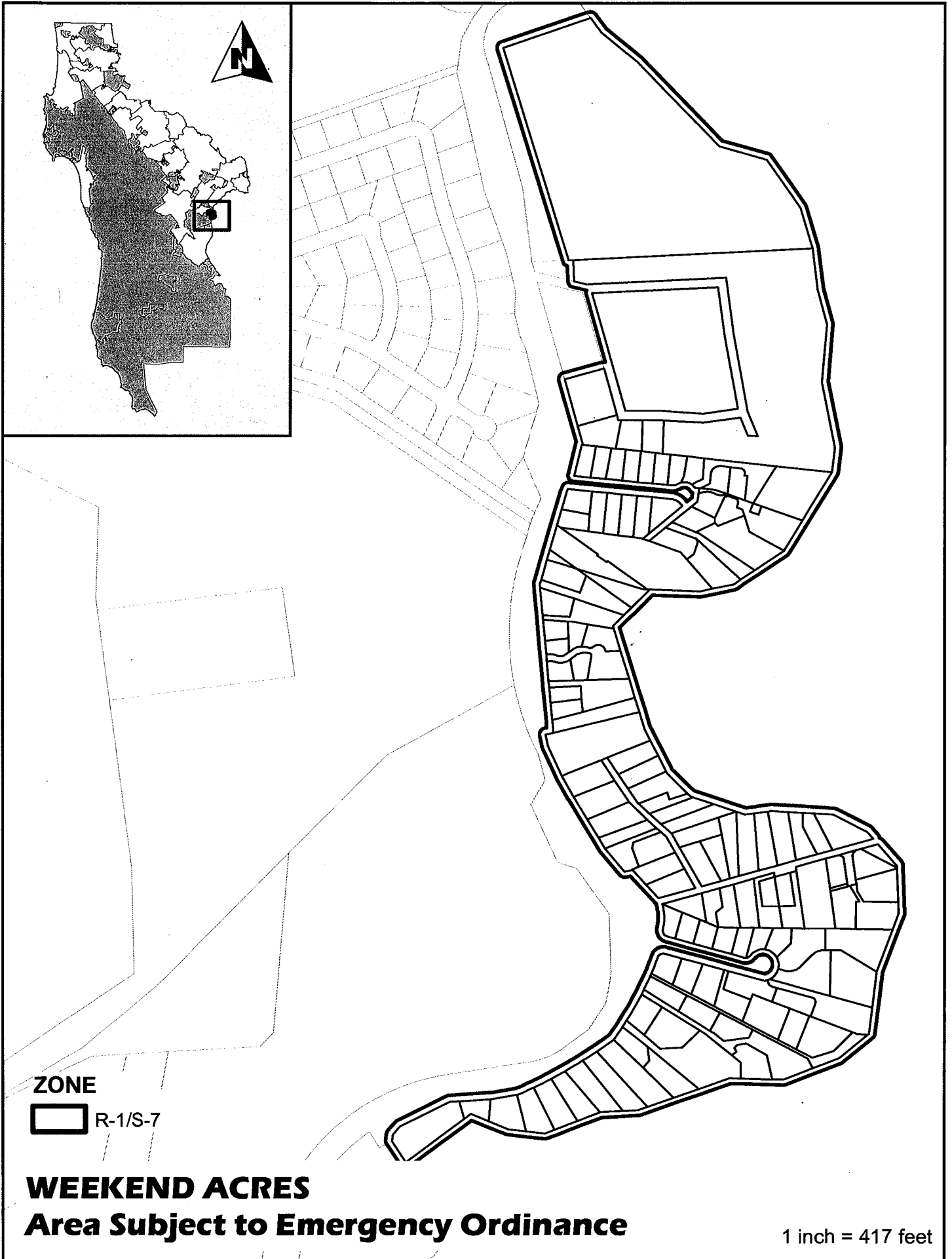
This action contributes to the Shared Vision 2025 outcome of Livable Community by ensuring that land is used more efficiently and that community character is preserved and enhanced.

**FISCAL IMPACT:**

Possible impact in reduced building permit fees during period of the urgency ordinance.

**ATTACHMENT:**

A. Location Map – Weekend Acres Area of the County



**ZONE**

 R-1/S-7

**WEEKEND ACRES  
Area Subject to Emergency Ordinance**

1 inch = 417 feet

**ORDINANCE NO. \_\_\_\_\_**  
**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,**  
**STATE OF CALIFORNIA**

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**AN URGENCY ORDINANCE AMENDING, ON AN INTERIM BASIS, DIVISION VII,  
CHAPTER 2, SECTION 9025 OF THE SAN MATEO COUNTY BUILDING  
REGULATIONS TO PROHIBIT THE ISSUANCE OF PERMITS FOR THE  
CONSTRUCTION OF NEW OR MAJOR REMODEL SINGLE-FAMILY RESIDENCES  
IN THE WEEKEND ACRES AREA OF SAN MATEO COUNTY**

The Board of Supervisors of the County of San Mateo, State of California,

**ORDAINS** as follows

**SECTION 1.** Findings and Declarations.

The Board of Supervisors of the County of San Mateo finds and declares as follows:

1. County staff has identified a gap in the R-1/S-7 zoning district regulations that allows for a type and intensity of development in a single-family residential area that is inconsistent with the intent of the General Plan and the existing character of the Weekend Acres neighborhood. This inconsistency threatens the welfare of residents living in the Weekend Acres area by allowing development that is incompatible with the character and public service capacities of this neighborhood.
  
2. Presently, the S-7 combining district regulations have no limit on the floor area of a single-family residence. Continuing to allow homes that are unlimited in floor area has resulted and will continue to result in homes that are out of scale with the surrounding development in the neighborhood, and which will adversely affect

a neighbor's privacy and available sunlight. The existing zoning regulations allow large homes that conflict with the scale of the community contrary to the General Plan requiring that development in an urban area be designed to contribute to the orderly and harmonious community growth of the locality. Furthermore, the existing zoning regulations allow large homes while the General Plan instructs the County to regulate bulk in zoning districts in order to ensure that the size and scale of development is compatible with parcel size. Amendment to the zoning regulations is therefore necessary to accomplish the policy objectives of the General Plan.

3. In 1988, the Board of Supervisors adopted a resolution (Resolution 50893) requiring a 30' (thirty-foot) front setback on Bishop Lane within Weekend Acres and requiring the provision of four (4) off-street parking spaces for new construction along this roadway, rather than the two (2) spaces that are required in other single-family residential areas. Part of the basis for this resolution was the limited width and roadway capacity constraints of Bishop Lane. Allowing excessively large residences along this Lane will result in more vehicles using this roadway, and could contribute to existing roadway capacity issues on this Lane, resulting in a current and immediate threat to public welfare along Bishop Lane, as well as a potential threat to public safety. The absence of zoning regulation of the floor area of single-family residences in this zoning district and neighborhood therefore presents a current and immediate threat of the construction of homes with dense residential uses that, practically speaking, require the use of on-street

parking to effectively accommodate the residents. The absence of zoning regulation of the floor area of single-family residences in this zoning district and neighborhood presents a current and immediate threat that structures will be constructed with dense residential uses that effectively require the use of on-street parking to accommodate the residents, blocking ingress and egress and access by emergency vehicles. Therefore, there is a current and immediate threat to the public health, safety and welfare, and the approval of additional building permits would result in that threat to public health, safety and welfare.

4. County staff is currently considering the adoption of a zoning text amendment that would introduce a Floor Area Ratio (FAR) and other possible development standards in the R-1/S-7 district.
5. Based on the information available to date, this Board hereby finds that the current regulations in Chapter 2, Section 9025 of the San Mateo County Building Regulations should be amended, on an interim basis, to prohibit the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County.
6. Given the findings and declarations above, this Board hereby finds and declares that there is a current and immediate threat to the public welfare that would result from the issuance of building permits for new residences and major remodels in the Weekend Acres area of San Mateo County. The Board further finds and declares that the current and immediate threat to public welfare will be alleviated if

the issuance of such building permits in this area is made subject to interim regulations prohibiting the issuance of building permits for such dwellings in the Weekend Acres area of San Mateo County.

7. This Board further finds and declares that the adoption of the interim regulations set forth herein is exempt from environmental review under the California Environmental Quality Act under Section 15061(b)(3) of Title 14 of the California Code of Regulations because there is no possibility that the interim regulations, which impose further restrictions on development, will have the potential for causing a significant effect on the environment.

**SECTION 2.** For the interim period in which this Ordinance is in effect, Division VII, Chapter 2, Section 9025 of the San Mateo County Building Regulations shall be amended to add Section 9025.3 to prohibit the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County, which shall read as follows:

**9025.3. Prohibition on the issuance of permits for the construction of new or major remodel single-family residences in the Weekend Acres area of San Mateo County.**

Notwithstanding Section 9025, no permits shall be issued under this Chapter 2 authorizing the issuance of building permits for new dwellings, including but not limited to any additions, alterations, or repairs within any 12-month period which



exceeds 50 percent (50%) of the value of the existing building or structure, in the Weekend Acres area of San Mateo County.

**SECTION 3.** This Ordinance shall be in full force and effect upon its adoption, and shall be of no further force and effect forty-five (45) days from its date of adoption.

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